

United States District Court District of Massachusetts

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2004-10336-NMG

JULIO CARRION SANTIAGO, ETC.,
PEDRO ALBERTO MIRANDA, ETC.,
REYNALDO RIVERA, ETC.,
JOSE RODRIGUEZ,
ENRIQUE AGOSTO,
JOSE TORRADO,
CARLOS SANCHEZ, ETC.,
LUIS F. SANCHEZ, ETC.,
EDWIN TORRES, ETC.,
ZULEIMA REYES, ETC.,
SANTIAGO ARROYO,
JUAN NUNEZ,
Defendants.

ORDER AFTER FINAL STATUS CONFERENCE PURSUANT TO LOCAL RULE 116.5(C)

COLLINGS, U.S.M.J.

Final Status Conferences were held on June 23 for all defendants except defendant Arroyo; the Final Status Conference as to defendant Arroyo was held

on October 17, 2005. Counsel for the defendant Santiago (John F. Cicilline, Esquire) did not appear on June 23rd.

The within Order is prepared pursuant to Local Rule 116.5(D). Using the numeration of matters listed in Local Rule 116.5(C), I report as follows:

- (1) No.
- (2) No.
- (3) No.
- (4) The defendants will not be presenting an alibi defense.
- (5) All non-discovery type motions have been filed.
- (6) No.
- (7) A trial will not be necessary as to defendant Arroyo or defendant Torrado; as to the other defendants, it is unknown whether any other defendant will plead. A trial would take fifteen (15) trial days.
- (8) *See* Further Order of Excludable Delay (#105) entered 1/5/2005. All time since 4/13/2005 is excludable because of the pendency of motions before the District Judge. The matter of entry of excludable delay orders for the time after April 13, 2005 is RESERVED for the District Judge.
- (9) Fifteen (15) trial days.

Using the numeration of matters listed in Local Rule 116.5(D), I report as follows:

- (1) Yes.

- (2) Yes; no reason for the case to remain with the magistrate judge.
- (3) See ¶ (5), *supra*.
- (4) See ¶ (8), *supra*.
- (5) Fifteen (15) trial days.
- (6) None.

I RECOMMEND that the Court set the case down for an Initial Pretrial Conference pursuant to Local Rule 117.1 to set a firm trial date *as soon as possible*.

THE FILE IS RETURNED TO THE CLERK'S OFFICE WITH INSTRUCTIONS TO BRING THE CASE TO THE IMMEDIATE ATTENTION OF THE COURTROOM DEPUTY CLERK ASSIGNED TO JUDGE GORTON'S SESSION.

The Clerk shall enter on the docket the fact that the case "is no longer referred to Magistrate Judge Collings."

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

October 18, 2005.